

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCIS HENRIQUEZ-DISLA and : CIVIL ACTION
MAGALAY PACHECO

v.

ALLSTATE PROPERTY & : NO. 13-284
CASUALTY INSURANCE
COMPANY

ORDER

AND NOW, this 30th day of March, 2015, upon consideration of Plaintiffs' Omnibus Motion in Limine (Doc. 94), the response thereto (Doc. 105), and for the reasons stated in the accompanying Memorandum, IT IS HEREBY ORDERED that the Motion is GRANTED IN PART, DENIED IN PART, AND DISMISSED AS MOOT IN PART, as follows::

1. To the extent Plaintiffs seek the preclusion of testimony from Laurel Mason, James Brady, the Philadelphia Police Department Forensic Science Division, Thomas Cipriano, and Philadelphia Emergency Fire Boardup, and preclusion of Plaintiff's bank statements, the Motion is DISMISSED AS MOOT. Defendant has agreed not to present this evidence. Although Defendant will be permitted to introduce Plaintiffs' tax returns, such introduction will be limited to name, address, and filing status that appear on the returns.
2. To the extent Plaintiffs seek preclusion of the police statements contained in the private investigator's report or statements of non-testifying witnesses contained in police reports, the Motion is GRANTED.
3. In all other respects, the Motion is DENIED.

It is FURTHER ORDERED that the parties shall jointly draft and present to the court prior to trial an instruction explaining that Allstate does not allege that Plaintiffs set the fire or rely on suspicion of arson to deny the claim. The parties shall also redact all exhibits which implicate Plaintiffs in setting the fire.

BY THE COURT:

/s/ELIZABETH T. HEY

ELIZABETH T. HEY, U.S.M.J.